

FILED AND RECORDED
BOSSIER PARISH, LA
2018 DEC 6 AM 10 54

26TH JUDICIAL DISTRICT COURT FOR THE PARISH OF BOSSIER

CLERK & EX-OFFICIO
STATE OF LOUISIANA

158009

NO.

DIVISION " "

KIRBY MOORE

VERSUS

NATIONAL UNION FIRE INSURANCE COMPANY OF
PITTSBURGH, PA, HALLIBURTON ENERGY SERVICES,
INC., AND PATRICK BAUGHMAN, JR,

DIV. A. - CRAIG

FILED:

DEPUTY CLERK

PETITION FOR DAMAGES

NOW INTO COURT, through undersigned counsel, comes Petitioner, KIRBY MOORE, person of the full age of majority, and a domiciliary of the Parish of Bossier, State of Louisiana, who, with respect, shows the Court as follows:

1.

That made defednatns herein are: NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA, a foreign insurance company authorized to do and

doing business in the State of Louisiana at all times relevant hereto; HALLIBURTON

ENERGY SERVICES, INC., a foreign corporation authorized to do and doing business

in the State of Louisiana at all times relevant hereto; and, PATRICK BAUGHMAN, JR,

a person of the full age of majority and a domiciliary of the State of Mississippi.

Defendants are liable, jointly and in solido, to plaintiff for the following:

2

That on or about May 10, 2018, at approximatley 4:02 p.m., plaintiff, KIRBY MOORE, was operating a 2006 Mack concrete truck, with permission of its owner, northbound on Swan Lake Rd., at or about its intersection with Industrial Drive in the Parish of Bossier, State of Louisiana.

3.

That at approximately the same time and place, defendant, PATRICK BAUGHMAN, JR., was operating a 2016 Chevrolet Express passenger van, with the

DEC - 6 2018
26TH JUDICIAL DISTRICT COURT
DEPUTY CLERK
BOSSIER PARISH, LOUISIANA

158009

permission of its owner, westbound on Industrial Drive at or about its intersection with Swan Lake Dr. in the Parish of Caddo, State of Louisiana.

4.

That at approximately the same time and place, defendant, PATRICK BAUGHMAN, JR., disregarded a stop sign and collided with the MOORE vehicle, which had the right of way.

5.

That the aforesaid collision sued on herein was the fault of and was proximately caused by defendant, PATRICK BAUGHMAN, JR., in the following, non-exclusive, respects:

- (a) by failing to yield the right of way, in violation of RS 32:123
- (b) by failing to keep a proper lookout;
- (c) by failing to see what should be seen;
- (d) by travelling too fast for conditions in violation of La. R.S. 32:64
- (e) by operating his vehicle in a reckless manner in violation of La. R.S. 32:58
- (f) by turning left when such movement could not be made with reasonable safety in violation of La. R.S. 32:104(A);
- (g) by failing to signal intent to turn left in violation of La. R.S. 32:104(B).

6.

That at all times relevant herein, defendant, PATRICK BAUGHMAN, JR., was acting within the course and scope of his employment with HALLIBURTON ENERGY SERVICES, INC., and therefore, pursuant to the Louisiana Civil Code, HALLIBURTON ENERGY SERVICES, INC., is a proper party defendant herein.

7.

That as a result of the aforesaid collision, KIRBY MOORE has sustained personal injury and pecuniary loss, injuries to his body and mind, including but not limited to his neck, back, shoulders, forearms and wrists, together with past and future

158009

mental anguish and physical suffering; past and future loss of enjoyment of life; past and future expenses for medical care; past and future loss of earnings and impaired earning capacity; all of which entitles plaintiff, KIRBY MOORE, to recover from defendants damages as are reasonable in the premises.

8.

Petitioner shows that at all times mentioned hereinabove, there was in full force and effect a policy of insurance issued by defendant, NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA, under the terms and conditions of which it agreed to insure and indemnify defendants, HALLIBURTON ENERGY SERVICES, INC., and PATRICK BAUGHMAN, JR., from the type of liability asserted herein.

9.

Petitioner shows that this case involves damages which exceed \$75,000.00, exclusive of interest and costs.

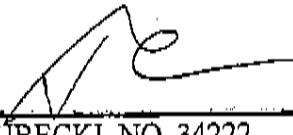
WHEREFORE, Petitioner, KIRBY MOORE, prays that defendants NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA, HALLIBURTON ENERGY SERVICES, INC., and PATRICK BAUGHMAN, JR., be served with a certified copy of this petition, and after being duly cited to appear and answer hereto, and after the expiration of all legal delays and due proceedings are had, that there be judgment rendered herein in favor of Petitioner, KIRBY MOORE, and against defendants, jointly and/or in solido, for damages as are reasonable in the premises; each of said judgments to bear legal interest from the date of judicial demand until paid and for all costs of these proceedings.

RESPECTFULLY SUBMITTED:

158009

ATTORNEY FOR PLAINTIFF
MORRIS BART, LLC
601 POYDRAS STREET
SUITE 2400
NEW ORLEANS, LA 70130
TELEPHONE: (504) 599-3238
FACSIMILE: (866) 524-2202
E-MAIL: plubecki@morrisbart.com

BY:


PRZEMEK LÜBECKI, NO. 34222

PLEASE SERVE:

NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA
THROUGH ITS REGISTERED AGENT FOR SERVICE OF PROCESS:
LOUISIANA SECRETARY OF STATE
8585 ARCHIVES AVENUE
BATON ROUGE, LA 70809

HALLIBURTON ENERGY SERVICES, INC.
THROUGH ITS REGISTERED AGENT FOR SERVICE OF PROCESS:
CAPITOL CORPORATE SERVICES, INC.
8550 UNITED PLAZA BUILDING II, STE. 305
BATON ROUGE, LA 70809

PATRICK BAUGHMAN, JR
Pursuant to the Louisiana Long-Arm LA R.S. 13:3201, et seq.
By serving
PATRICK BAUGHMAN, JR
303 SPRING HILL AVE
RALEIGH, MS 39153-6015
Via certified mail

PATRICK BAUGHMAN, JR
303 SPRING HILL AVE
RALEIGH, MS 39153-6015
Pursuant to the Non-Resident Motorist Act LA R.S. 13:3474, et seq.
THROUGH ITS REGISTERED AGENT FOR SERVICE OF PROCESS:
LOUISIANA SECRETARY OF STATE
8585 ARCHIVES AVENUE
BATON ROUGE, LA 70809

800.
cc

Morris Bart, LA
Terry B. Loup, LA, MS, TX
Glenn Lieberman, LA
Vincent L. Bowers, LA, MD, D.C.
Kenneth M. Altman, LA, MS, FL
Craig A. Gantley, LA, MS
Janet Bugbee Avery, LA
James L. Leethem, LA
Roderick A. James, LA
Daniel Shilling, LA, MS, FL
Dennis N. Thomson, LA, AL, AR
Abby L. Roberts, LA, AR
Paige Patriarca, LA
Patrick H. Gibbons, LA
David Lawson, LA
Reynique Kaplan, LA
Emeralda Graham, LA, NM
Lauren Pillo, LA, GA
Przemek Lubecki, LA, IL
Danielle Smith, LA, TX
Kelley Mackenroth, LA
Matthew Hemmer, LA, OH, KY
Sophia Johnson, LA, IL, TX
Jeffrey Lust, LA, TX
Kathryn Landry, LA
Austin Marks, LA
Erin E. Cloyd, LA
Sharika L. King, LA
Shalane Loehn, LA, MA
Reshonda Thompson, LA
Kim Paul, LA
Linda Gonzalez, LA
J.D. Parker, LA
Kelly Johnson, LA
Travis Williams, LA
Alaina Brandhurst, LA
Lindsay Topp, LA, MS, CA
Brooke Bond, LA
Adam Basso, LA
Tamara Craig, LA
Betsy Barnes, LA
John Richards, LA, AR
Brian Buchert, LA
Lauren Sullivan, LA, MS
Richard (Rick) Root, LA
Paul Villalobos, LA
Pamela Hensel, LA
Alexandria Elliot, LA, AL
Lauren Godshalk, LA, TX, CA
John Endoch, LA, TX, MS, KY
Spencer Golden, LA, TX
Christine Brandy, LA, AL
Natalie Kobatz, LA
Sarah Constant, LA
Brittany Ceronie, LA
Aragon Hurd, LA
Peter Russell, LA
Faye Sheets, LA, TN
Rebekah Capone, LA
Kelly Thibaux, LA
Thalia Esby, LA
Jacob Goehring, LA
Bayan Sabo, LA
Malcede Molina, LA

MORRIS BART, L.L.C.

ATTORNEYS AT LAW

Pan American Life Center, 601 Poydras Street, 24th Floor
New Orleans, Louisiana 70130-6036

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Fax 504.599.3380

Writer's Direct Dial: (504) 599-3264
Writer's Direct Facsimile: (866) 524-2202
E-mail: mezell@morrisbart.com

158009

DIV. A - CRAIG

December 5, 2018

Via Overnight Delivery 813941041500

Clerk of Court
26th Judicial District Court, Bossier Parish
204 Burt Boulevard, Third Floor
Benton, LA 71006

RE: Kirby Moore vs. National Union Fire Insurance Company, et al

Dear Clerk:

Please find attached a Petition for Damages which I would appreciate your filing with the court, effecting service on the proper parties and returning a conformed copy back to me in the enclosed self-addressed, stamped envelope. Also, please return a certified copy of the petition so that I may effect service on Patrick Baughman through the Louisiana Long Arm. I have enclosed our firm's check in the amount of \$800.00 for your filing costs of same.

With kind regards, I am,

Sincerely,

/s/Melissa Ezell

Melissa Ezell
Assistant to Przemek Lubecki

me
enclosures

F I L E D

DEC - 6 2018

DEPUTY CLERK
26TH JUDICIAL DISTRICT COURT
BOSSIER PARISH, LOUISIANA

New Orleans 504,525,8000	Baton Rouge 223,925,8000	Shreveport 318,222,9000	Lafayette 337,233,4200	Monroe 318,807,1000	Alexandria 318,561,7700
Lake Charles 337,477,4600	Gulfport 228,432,9000	Pascagoula 228,762,4700	Hattiesburg 601,583,8000	Mobile 251,433,2210	Toll Free 1.800.876.2244
Birmingham 205,251,6700	Huntsville 256,539,8300	Montgomery 334,834,1800	Little Rock 501,376,9000	Texarkana 870,772,1669	

www.morrisbart.com

CITATION

KIRBY MOORE	TWENTY-SIXTH JUDICIAL DISTRICT
VS	PARISH OF BOSSIER
NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH PA ET AL	STATE OF LOUISIANA
DOCKET NUMBER: C-158009	

TO: HALLIBURTON ENERGY SERVICES INC
THROUGH ITS REGISTERED AGENT FOR SERVICE OF PROCESS:
CAPITOL CORPORATE SERVICES, INC.
8550 UNITED PLAZA BUILDING, II, STE. 305
BATON ROUGE, LA 70809

in the Parish of EAST BATON ROUGE.

You are hereby cited to comply with the demand contained in the petition, a certified copy of which accompanies this citation, or to file your answer or other pleading to said petition in the office of the Clerk of the 26th Judicial District Court in the Bossier Parish Court House in the Town of Benton in said Parish within fifteen (15) days after the service hereof. Your failure to comply herewith will subject you to the penalty of entry of default judgment against you.

The Sheriff or his deputy has just handed you a law suit which states why you are being sued. You (as defendant) will have fifteen (15) days after you receive this petition to either file an answer (in writing) with the Bossier Parish Clerk of Court in Benton, Louisiana, or retain an attorney of your choice to act in your behalf. If you do nothing within the said time period, then a judgment could be rendered against you.

Attached hereto are:

PETITION FOR DAMAGES

Witness the Honorable Judges of our said Court on this the 7TH DAY OF DECEMBER, 2018

JILL M. SESSIONS, CLERK OF COURT


Deputy Clerk
Bossier Parish, Louisiana

Attorney:
MORRIS BART, LLC
PRZEMEK LUBECKI
601 POYDRAS STREET, SUITE 2400
NEW ORLEANS, LA 70130
504-599-3238

DEC 21 2018

SERVICE INFORMATION

UNSERVED
PERSONAL
DOMICILIARY

DATE
REMARKS

GIVEN TO

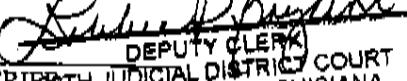
I made service on the named party

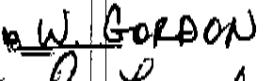
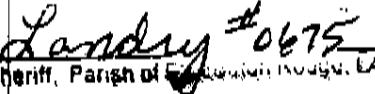
by rendering a copy of this document on this day

FILED

JAN 09 2019

DEC 28 2018


DEPUTY CLERK
DEPUTY SHERIFF 26TH JUDICIAL DISTRICT COURT
BOSSIER PARISH, LOUISIANA


W. GORDON

R. Landry #0675
DEPUTY Sheriff, Parish of East Baton Rouge, LA

Sid J. Gautreaux
Sheriff East Baton Rouge Parish

Clerk of Court Bossier Parish
P.O. Box 430
Benton, LA 71006

DISTRICT COURT

For the Parish of East Baton Rouge

12/27/2018

Case: (08) 158009 1,553,431	KIRBY MOORE vs NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH PA ET AL	
Nbr	Date	Service Type
CIT	12/27/2018	Mileage Charge
		Charges
		\$9.36
	Case Total:	\$9.36
	Total:	\$9.36

F I L E D

JAN 09 2019

Sid J. Gautreaux
DEPUTY CLERK
26TH JUDICIAL DISTRICT COURT
BOSSIER PARISH, LOUISIANA

Please make check payable to:
Sid J. Gautreaux, Sheriff
P.O. Box 3277
Baton Rouge, LA 70821

PLEASE RETURN THIS BILL WITH CHECK

CITATION

KIRBY MOORE	TWENTY-SIXTH JUDICIAL DISTRICT
VS	PARISH OF BOSSIER
NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH PA ET AL	STATE OF LOUISIANA
DOCKET NUMBER: C-158009	

TO: PATRICK BAUGHMAN, JR
303 SPRING HILL AVE
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LOUISIANA SECRETARY OF STATE
8585 ARCHIVES AVENUE
BATON ROUGE, LA 70809

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JILL M. SESSIONS, CLERK OF COURT


Deputy Clerk

Bossier Parish, Louisiana

Attorney:
MORRIS BART, LLC
PRZEMEK LUBECKI
601 POYDRAS STREET, SUITE 2400
NEW ORLEANS, LA 70130
504-599-3238

F I L E D
JAN 09 2019
[Handwritten signature]
DEPUTY CLERK
26TH JUDICIAL DISTRICT COURT
BOSSIER PARISH, LOUISIANA

SERVICE INFORMATION

UNSERVED
PERSONAL
DOMICILIARY

GIVEN TO

I made service on the named party through the
Office of the Secretary of State on

DATE
REMARKS

DEC 28 2018

by handing a copy of this document to:
KATHY DARDEN

DEPUTY SHERIFF

DEC 21 2018

DY. E. GASPARD 0922
PHONE # 225-803-1671
Deputy Sheriff, Parish of East Baton Rouge, LA

PERSONAL

D4490785

CITATION

KIRBY MOORE	TWENTY-SIXTH JUDICIAL DISTRICT
VS	PARISH OF BOSSIER
NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH PA ET AL	STATE OF LOUISIANA
DOCKET NUMBER: C-158009	

TO: NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH PA
 THROUGH ITS REGISTERED AGENT FOR SERVICE OF PROCESS:
 LOUISIANA SECRETARY OF STATE
 8585 ARCHIVES AVENUE
 BATON ROUGE, LA 70809

in the Parish of EAST BATON ROUGE.

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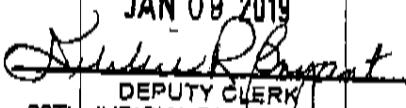
Witness the Honorable Judges of our said Court on this the 7TH DAY OF DECEMBER, 2018

JILL M. SESSIONS, CLERK OF COURT



Deputy Clerk
Bossier Parish, Louisiana

Attorney:
 MORRIS BART, LLC
 PRZEMEK LUBECKI
 601 POYDRAS STREET, SUITE 2400
 NEW ORLEANS, LA 70130
 504-599-3238

FILED
 JAN 09 2019

 DEPUTY CLERK
 26TH JUDICIAL DISTRICT COURT
 BOSSIER PARISH, LOUISIANA

SERVICE INFORMATION

I made service on the named party through the -

Office of the Secretary of State on

UNSERVED PERSONAL DOMICILIARY _____ GIVEN TO _____

DATE REMARKS _____

DEC 28 2018

by tendering a copy of this document to:

KATHY DARDEN

D.Y. D.Y. E. GASPARD 0922

Deputy Sheriff, Parish of East Baton Rouge, LA

DEPUTY SHERIFF

DEC 21 2018

PERSONAL